

AMENDMENT TRANSMITTAL LETTER (Large Entity)

Applicant(s): Spicer

Docket No.

19357-095240

Application No.

10/688,161

Filing Date

10/17/2003

Examiner

Torres

Customer No.

28886

Group Art Unit

3683

Confirmation No.

9543

Invention: LOCKING STRUT

NOV 01 2004

COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	30 -	30 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	1 -	3 =	0 x	\$88.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of _____
- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 50-1759
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☐ Payment by credit card. Form PTO-2038.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

Dated: October 29, 2004

Robin W. Asher, Reg. No. 41,590
Clark Hill PLC
500 Woodward Avenue, Suite 3500
Detroit, MI 48226-3435

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

10/29/2004

(Date)

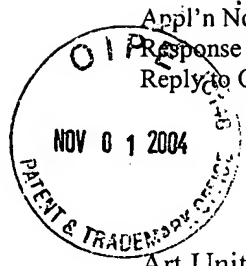
Signature of Person Mailing Correspondence

J.H. Fournier

Typed or Printed Name of Person Mailing Correspondence

CC:

JFW



Appl'n No: 10/688,161
Response dated October 28, 2004
Reply to Office action dated July 15, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 3683

Confirmation No. 9543

Examiner: Torres, Melanie

Applicant(s): Spicer, Gary

ELECTION

Serial No.: 10/688,161

Filing Date: 10/17/2003

Title: Locking Strut

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action dated September 29, 2004.

The Examiner contends that the application contains claims directed to the following patentably distinct species of the claimed invention:

Species A- Figures 1 and 2;

Species B- Figures 3 and 4;

Species C- Figures 5 and 6;

Species D- Figures 7 and 8;

Species E- Figures 9 and 10; and

Species F- Figures 11 and 12.

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Applicant is required under 35 USC 121 to elect a single species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claim 1 is generic.

In response, Applicant hereby elects Species A- represented by Figures 1 and 2.

Applicant further identifies the claims which are readable on the elected species are as follows: Claims 1-7 and 27-30 read on the elected Species A of Figures 1 and 2. The Applicant also submits that claim 1 is generic to all species.

It is respectfully submitted that this patent application is in condition for examination on the merits, which is respectfully solicited. If the Examiner has any questions regarding this election or patent application, the Examiner is invited to contact the undersigned.

The Commissioner is hereby authorized to charge any underpayment or credit any overpayment of the above fees associated with this Communication to Deposit Account No. 50-1759. A duplicate copy of this form is attached.

Respectfully submitted,



Robin W. Asher
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Date: October 28, 2004

Attorney Docket No. 19357-095240